

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Leon Henry Carter, III

Civil 09-16 JMR/FLN

Plaintiff,

v.

O R D E R

CWF Solutions, LLC, Mark Novak,  
State of Minnesota, Department of  
Corrections, and Minnesota  
Correctional Facility Stillwater,

Defendants.

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Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated January 14, 2009, all the files and records, and no objections having been filed to said Report and Recommendation,

**IT IS HEREBY ORDERED** that:

1. Plaintiff's claims against Defendants State of Minnesota, Department of Corrections, and Minnesota Correctional Facility Stillwater, are dismissed pursuant to 28 U.S.C. § 1915A(b); and
2. Plaintiff's claims against the remaining Defendants in this case are allowed to proceed at this time, without prejudice to any defenses that those Defendants may later seek to raise.

DATED: February 27, 2009.  
at Minneapolis, Minnesota

s/James M. Rosenbaum  
JUDGE JAMES M. ROSENBAUM  
United States District Court